

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David Stevanovski et al.

Application No.: 09/614,109

Confirmation No.: 1567

Filed: July 12, 2000

Art Unit: 3693

For: PAYMENT ADMINISTRATION SYSTEM

Examiner: D. S. Felten

APPELLANT'S REPLY BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

ARGUMENT

Applicant submits the following reply concerning Groups I and II in response to the Examiner's answer.

Group I – Claims 19, 23, 34 and 39.

The Examiner's answer adequately demonstrates that the prior art does not teach, disclose or suggest a relevant method whereby customers may set their own purchase parameters.

For example, on page 6, last sentence, of the Examiner's answer it is argued that "[i]n *Pierce*, the *issuer* can set purchase (or money) spending parameters to protect *themselves against customers* who overcharge their accounts ..." (*emphasis added*). Then, on page 7, line 3, the Examiner argued that "[i]n *Fleming* the parent acts in the same capacity as the card issuer in *Pierce* ...". Independent claim 19 includes the step of providing a customer file that is associated

with the administrator, with the customer file having a purchase parameter “value predetermined by the customer.” Independent claims 23, 34 and 39 include similar “predefined by the customer” steps. Thus, the distinction could not be clearer. The goal of the prior art is to defend card issuers from their customers. However, in Applicant’s method it is the customers who seek protection from themselves and the rest of the world, regardless of what action a card issuer might wish to take. Accordingly, one of skill in the art would have never looked to Peirce or Fleming, alone or in combination, or in combination Lawlor to achieve Applicant’s invention as claimed.

Group II – Claim 23

Nowhere in the Examiner’s answer is their any reference to a collection program. The term does not appear in Examiner’s restatement of the rejection of claim 23 (see pages 3 and 4) nor is the term used in the body of the Examiner’s arguments (see pages 5 – 8). Given this clear lack of evidence, Applicant continues to respectfully submit that the rejection of claim 23 must be overturned.

Dated: June 30, 2008

Respectfully submitted,

By 

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